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U.S. 1ST CIRCUIT COURT OF APPEALS

Criminal Law & Procedure, Sentencing

US v. Sevilla-Oyola, No. 12-1264

Life sentence is vacated and remanded to the same judge for resentencing, where counsel for defendant did not appreciate that defendant faced the risk that the initial punishment of life imprisonment would be reinstated by this court, and thus only warned defendant that remand might result in a higher sentence, not that the initial sentence might be reinstated.

Perez v. Hospital Damas, Inc., No. 13-1810

Denial of a motion to amend a complaint to add a new defendant in a medical malpractice case is affirmed, where the district court acted within its discretion when it decided the plaintiffs had waited too long before trying to add a new defendant just weeks ahead of the trial's scheduled start.